

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

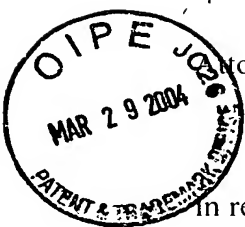
Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



Attorney Docket No. 5649-927DV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hyoung-Joon Kim et al.

Serial No.: 10/706,647

Group Art No.: 2812

Filed: November 12, 2003

Confirmation No.: 7889

For: METHODS OF FABRICATING INTEGRATED CIRCUIT DEVICES PROVIDING
IMPROVED SHORT PREVENTION

March 25, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of November 12, 2003 rather than November 13, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of November 12, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

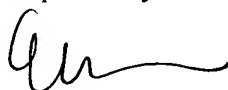
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page (www.usps.com) , showing "acceptance" or deposit date with the USPS at 5:50 p.m. on November 12, 2003; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of November 13, 2003 instead of the Express Mail date of November 12, 2003.

In re: Hyoun-Joon Kim et al.
Serial No.: 10/706,647
Filed: November 12, 2003
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of November 12, 2003 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

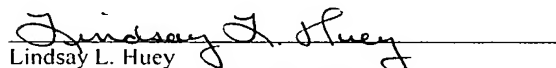


Elizabeth A. Stanek
Attorney For Applicant
Registration No. 48,568

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 25, 2004.


Lindsay L. Huey
Date of Signature: March 25, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5649-927dv

DATE: November 12, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/052,721; filed January 18, 2002, the disclosure of which is incorporated herein by reference in its entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

Hyoung-Joon Kim
Young-Wook Park
Byeong-Yun Nam

Entitled: **METHODS OF FABRICATING INTEGRATED CIRCUIT DEVICES PROVIDING IMPROVED SHORT PREVENTION**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 22 pages of Specification (including 12 claims)
3. ☒ 19 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under

Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

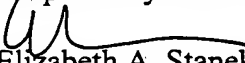
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 2 references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	12 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	3 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$770.00

- ☒ A check in the amount of \$ 770.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

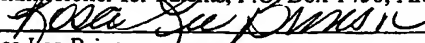

Elizabeth A. Stanek
Registration No.

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 318419683 US

Date of Deposit: November 12, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Rosa Lee Brinson



EV 318419683 US

Customer Copy

Label 11-F June 2002



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 57622	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In Mo. Day Year	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 13.65
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials MWW	Total Postage & Fees \$ 13.65

DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is not a waiver of signature is requested; I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
Customer Signature		

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

X278081

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

PHONE (719) 654-1400

MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627-7428

[EAS/r/b 2249.727-10]

TO: (PLEASE PRINT)

PHONE ()

MS Patent Application
Commissioner for Patents
PO Box 1453
Alexandria VA 22313-1450

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com





Track & Confirm

Shipment Details

You entered EV31 8419 683U S

Your item was delivered at 9:41 am on November 13, 2003 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by J STECKEL.

Here is what happened earlier:

- ARRIVAL AT UNIT, November 13, 2003, 8:09 am, DULLES, VA 20102
- ENROUTE, November 13, 2003, 6:06 am, DULLES, VA 20102
- ENROUTE, November 12, 2003, 7:39 pm, RALEIGH, NC 27623
- ACCEPTANCE, November 12, 2003, 5:50 pm, RALEIGH, NC 27612

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)



POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:

G

[Track & Confirm FAQs](#)

[Go >](#)

MS Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ETAS/r-16
11-21-03 A03

Date: 11-12-03
Doc. No. 5649.927DV
Serial No. INTBA
Inventor: Kim et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Application Transmittal and: | <input checked="" type="checkbox"/> Check \$ <u>270.00</u> |
| <input checked="" type="checkbox"/> Specification pages <u>22</u> | <input checked="" type="checkbox"/> IDS & PTO-1449 & <u>2</u> refs. |
| <input checked="" type="checkbox"/> No. of Claims <u>12</u> | <input type="checkbox"/> Amendment & Amend. Transmittal |
| <input checked="" type="checkbox"/> Declaration & POA <u>(copy)</u> | <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Assignment and Fee | <input type="checkbox"/> Issue Fee |
| <input type="checkbox"/> Small Entity Statement | <input type="checkbox"/> Brief |
| <input checked="" type="checkbox"/> Formal Drawings/ <u>19</u> sheets | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Associate Power of Attorney | <input type="checkbox"/> Submittal of Priority Doc. |
| <input checked="" type="checkbox"/> Exp. Mail <u>1st Class Mail</u> | |

☒ Other:

Remarks
Return Post Card

17497 U.S. PTO
10/706647

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

